

IC 35-46-8

Chapter 8. Unlawful Recording

IC 35-46-8-1

Application

Sec. 1. This chapter does not apply to a law enforcement officer acting within the scope of the officer's employment.

As added by P.L.94-2005, SEC.6.

IC 35-46-8-2

"Audiovisual recording device"

Sec. 2. As used in this chapter, "audiovisual recording device" means:

- (1) a digital or an analog photographic or video camera; or
- (2) any other technology capable of enabling the recording or transmission of a motion picture or other audiovisual work;

regardless of whether audiovisual recording is the sole or primary purpose of the device.

As added by P.L.94-2005, SEC.6.

IC 35-46-8-3

"Motion picture exhibition facility"

Sec. 3. (a) As used in this chapter, "motion picture exhibition facility" means:

- (1) an indoor or outdoor screening venue; or
- (2) any other premises;

where motion pictures or other audiovisual works are shown to the public for a charge, regardless of whether an admission fee is charged.

(b) The term does not include a dwelling.

As added by P.L.94-2005, SEC.6.

IC 35-46-8-4

Unlawful recording; defense

Sec. 4. (a) A person who knowingly or intentionally uses an audiovisual recording device in a motion picture exhibition facility with the intent to transmit or record a motion picture commits unlawful recording, a Class B misdemeanor.

(b) It is a defense to a prosecution under this section that the accused person had the written permission of the motion picture exhibition facility owner to transmit or record the motion picture.

As added by P.L.94-2005, SEC.6.

IC 35-46-8-5

Additional penalties

Sec. 5. In addition to a criminal penalty imposed for an offense under this chapter, a court may order the forfeiture, destruction, or other disposition of:

- (1) all unauthorized copies of motion pictures or other audiovisual works; and

(2) any audiovisual recording devices or other equipment used
in connection with the offense.

As added by P.L.94-2005, SEC.6.